

P-407/CP-90-547 ORDER DISMISSING PETITION, VACATING ORDER,
DENYING PETITIONS FOR RECONSIDERATION AND CLOSING DOCKET

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Cynthia A. Kitlinski
Dee Knaak
Norma McKanna

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of a Petition for
Extended Area Service From the
Loman Exchange to the
International Falls, Ericsburg,
and Ranier Exchanges

ISSUE DATE: August 10, 1992

DOCKET NO. P-407/CP-90-547

ORDER DISMISSING PETITION,
VACATING ORDER, DENYING
PETITIONS FOR RECONSIDERATION
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PROCEDURAL HISTORY

On March 25, 1992, the Commission issued its ORDER ADOPTING RATES FOR POLLING in this matter. In its Order, the Commission prepared to poll Loman subscribers to determine whether there was adequate subscriber support for the establishment of extended area service (EAS) between Loman and the petitioned exchanges, International Falls, Ranier, and Ericsburg. Specifically, the Commission adopted EAS polling rates that did not treat U S West Communications, Inc. (USWC) as an "affected telephone company" pursuant to Minn. Stat. § 237.161, subd. 3 (1990).

On April 6, 1992, the Minnesota Department of Public Service (the Department) filed a Petition for Reconsideration of the March 25, 1992 Order.

On April 8, 1992, GTE Minnesota, Inc. (GTE) also filed a Petition for Reconsideration. GTE stated that it proposed to merge the Loman exchange into the International Falls exchange and, for that reason, requested that the Commission reconsider and vacate the March 25, 1992 Order.

On April 30, 1992, GTE filed a petition to merge the Loman exchange into the International Falls exchange. The matter was assigned to Docket No. P-407/SA-92-343.

On July 14, 1992, the Commission issued an Order in Docket No. P-407/SA-92-343 approving, with modification, GTE's petition to merge the Loman exchange into the International Falls exchange.

On August 4, 1992, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

The Commission's July 14, 1992 Order merging the Loman exchange into the International Falls exchange terminated the existence of the Loman exchange. With the extinction of the Loman exchange, the petition to establish EAS between the Loman exchange and the petitioned exchanges, International Falls, Ranier, and Ericsburg, becomes fatally defective. The Commission will, therefore, dismiss that petition and close the docket created to handle it.

With the dismissal of the petition to establish EAS between Loman and the International Falls, Ranier, and Ericsburg exchanges, it is inappropriate to allow the Commission's March 25, 1992 Order, which provided for further processing of the Loman petition, to remain in effect. Therefore, the Commission will vacate that Order.

With the vacation of the March 25, 1992 Order, the petitions to reconsider that Order become moot and will be dismissed accordingly.

ORDER

1. The petition of subscribers in the now defunct Loman exchange to establish extended area service (EAS) between Loman and the International Falls, Ranier, and Ericsburg exchanges is hereby dismissed.
2. The Commission's March 25, 1992 Order in this matter is hereby vacated.
3. The petitions of the Minnesota Department of Public Service and GTE Minnesota, Inc. are hereby dismissed.
4. The docket established to handle this matter (Docket No. P-407/CP-90-547) is hereby closed.
5. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)